

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

*IN RE JACKSON WATER CASES,*

No. 3:23-cv-00614-CWR LGI  
(Main Docket – All Plaintiffs)

Hon. Carlton W. Reeves,  
U.S. District Judge

Hon. LaKeysha Greer Isaac,  
U.S. Magistrate Judge

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**PLAINTIFFS’ RESPONSE IN OPPOSITION TO DEFENDANTS’ MOTION  
FOR ENTRY OF A *LONE PINE* ORDER**

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PLAINTIFFS submit this Response in Opposition to Defendants’ Motion for Entry of a *Lone Pine* Order [**Doc. 154**], and state as follows:

1. On October 10, 2023, Defendant City of Jackson; Defendant Mississippi State Department of Health; and Defendant Trilogy Engineering Services, LLC (collectively, “Defendants”) moved for a stay of discovery and the entry of a pre-discovery *Lone Pine* order.

2. In support, Defendants filed several exhibits, including a scant memorandum of law [**Doc. 155**] and a proposed *Lone Pine* order [**Doc. 154-1**].

3. Plaintiffs oppose both requests in their entirety.<sup>1</sup>

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<sup>1</sup> Plaintiffs’ opposition to Defendants’ motion to stay the proceedings was filed on October 10, 2023 [**Doc. 156**].

4. As set forth more fully in Plaintiffs' accompanying memorandum,<sup>2</sup> applicable jurisprudence does not support implementation of Defendants' proposed *Lone Pine* order. Such an extreme and oppressive measure is wholly unwarranted here. In fact, applicable jurisprudence runs contrary to putting such an order in place.

5. Moreover, Defendants' proposed *Lone Pine* order would effectively circumvent and deprive Plaintiffs of important procedural safeguards afforded to them by the Federal Rules of Civil Procedure, and would add Constitutional insult to Constitutional injury, further oppressing an already disenfranchised community of minor Plaintiffs.

6. In addition to Plaintiffs' accompanying memorandum, Plaintiffs incorporate by reference the October 31, 2023 declaration of Corey M. Stern, filed as **Exhibit A** to Plaintiffs' accompanying memorandum.

WHEREFORE, Plaintiffs respectfully request that this Court deny Defendants' request for entry of a *Lone Pine* order in its entirety.

*-Signatures Follow-*

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<sup>2</sup> Pursuant to L.U.Civ.R. 7(b)(2) and Administrative Procedures for Electronic Case Filing Section 3.A.7, Plaintiffs' accompanying memorandum will be filed separately.

This 31<sup>st</sup> day of October, 2023.

Respectfully submitted,

**LEVY KONIGSBERG, LLP**

/s/ Corey M. Stern

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/s/ Melanie Daly

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**CERTIFICATE OF SERVICE**

I, Melanie Daly, counsel for Plaintiffs, hereby certify that on October 31, 2023, the foregoing document was served on all counsel of record via the Court's ECF system.

/s/ Melanie Daly  
Melanie Daly, *PHV* 49758  
**LEVY KONIGSBERG, LLP**